

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

MELODIE DECKER, *et al.*, )  
v. )  
Plaintiffs, )  
v. )  
SUBWAY SANDWICHES AND SALADS, LLC, )  
*et al.*, )  
Defendants. )  
No. 3:12-CV-563  
(VARLAN/SHIRLEY)

## **ORDER**

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

Now before the Court are Defendants' Motion for Leave to Serve Limited Discovery Requests and Third-Party Subpoena [Doc. 35] and Plaintiffs' Motion for Leave to Conduct Limited Discovery [Doc. 37]. The parties appeared before the Court, telephonically, on December 9, 2013, to address these motions. At that time, the parties indicated that they might be able to resolve their discovery disputes amongst themselves, and the Court set a follow-up conference for December 19, 2014, to discuss the status of the discovery-related motions.

On December 16, 2013, the parties filed a Joint Stipulation to Waive Evidentiary Hearing on Plaintiffs' Motion for Attorney's Fees and Withdrawal of Motions for Leave to Conduct Discovery [Doc. 43]. Therein, the parties represent that they will not seek to present evidence at the hearing to address Plaintiffs' Motion for Attorney Fees set for January 15, 2014, and instead,

they will present oral arguments. The parties also agreed to withdraw their respective motions to conduct discovery.

Accordingly, the Defendants' Motion for Leave to Serve Limited Discovery Requests and Third-Party Subpoena [**Doc. 35**] and Plaintiffs' Motion for Leave to Conduct Limited Discovery [**Doc. 37**] are **DENIED AS MOOT**. The hearing on January 15, 2014, is **DEEMED** a non-evidentiary hearing, and the conference set for December 19, 2013, is **CANCELLED**.

**IT IS SO ORDERED.**

ENTER:

s/ C. Clifford Shirley, Jr.  
United States Magistrate Judge